

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – LA – SRSP – Karimnagar District – O.P.No.114/84 pertaining to Chelpur (Village) Huzurabad (Mandal) - Sanction of decretal charges of **Rs.1,36,688/-** - Orders Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 25

DATE:06.12.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP2/997/2007,
Dt:27.10.08 along with the proposal of the Spl.Collector, LA,SRSP,
SSP& JCRGLIP,Hyderabad.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.NO.114/84 of Chelpur (V) Huzurabad (M) of Karimnagar District. The then LAO, LA Unit, LMD Colony, Karimnagar has acquired the land for an extent of 76-27 acres for excavation of DBM from KM 5.600 to 12.000 SRSP canal in the limits of Chelpur (V) of Huzurabad (M) and passed an Award No.8/81-82, dt:25.03.1982 by fixing the land value @ERs.2,600/-. Having dissatisfied, the awardees filed petitions u/s 18 of L.A.Act and referred the cases to the Sub-ordinate Judge Court, Karimnagar. The Sub-ordinate Judge Court, Karimnagar in its orders dt:17.05.1988 has enhanced the land value from Rs.2,600/- to Rs.4,500/- per acre. As the enhancement was more than 50% the Special Deputy Collector has filed an appeal. The Hon'ble High Court in its orders dt:30.10.87 in CMP No.16298/87 in A.S.No.42357/86 has ordered to deposit $\frac{3}{4}$ th of the enhanced amount. Accordingly, an amount of Rs.3,79,123-35 has been deposited in the lower court on 29.09.1992. Finally, the Hon'ble High Court in its orders dt:16.07.1999 while dismissing the appeal by confirming the orders of Lower Court.

2) After careful examination of the matter, Government hereby accord sanction for an amount of Rs.1,36,688/- (Rupees One lakh thirty six thousand six hundred and eighty eight only) in respect of O.P.No.114/84 pertaining to Chelpur (V) Huzurabad (M) of Karimnagar District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, SRSP, Hyderabad may be directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.114/84 under SRSP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above, shall be debitable to the following Head of Account under "2701- Capital Out Lay- M & MI-01-Major Irrigation Commercial - MH.116 -Sriramasagar Project -GH.11 - Normal State Plan - SH (27) Canals and Distributaries - 530/532 lands (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.5251/F4(2)/2008-1, dated:29.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.
The Special Deputy Collector, LA Unit-I, LMD Colony, Karimnagar.
The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad.
The Director of Works Accounts, SRSP, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.32853/LA.III(A1)/2008.
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER